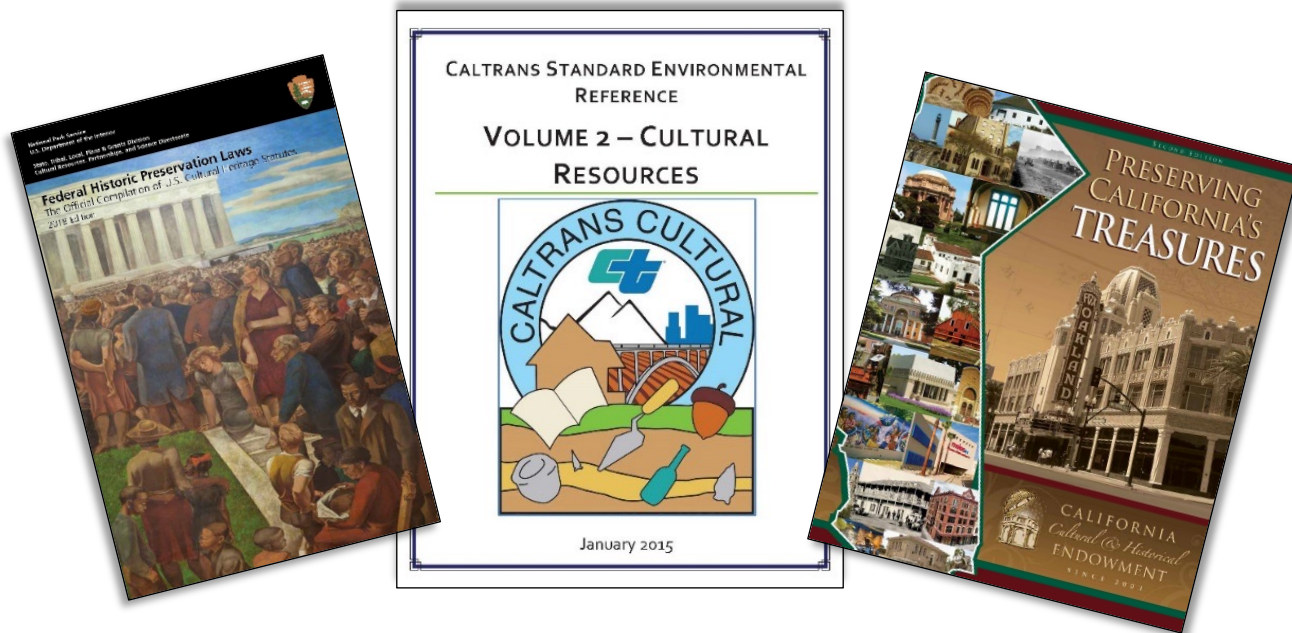




NEPA Compliance: Cultural Resources



Mariam Dahdul
Associate Environmental Planner, Archaeology
District Native American Coordinator



*Provide a safe and reliable transportation network
that serves all people and respects the environment*





Buildings



Objects



Sites



Districts



Structures

Cultural Resource

Physical evidence or place of past human activity, regardless of significance



Section 106

National Historic Preservation Act

Federal law that requires all federal agencies to:

- take into account the effect of their undertakings on *historic properties*, and
- afford the Advisory Council on Historic Preservation (ACHP) the opportunity to comment on the undertakings.

Federal Historic Preservation Laws
The Official Compilation of U.S. Cultural Heritage Statutes
2018 Edition



FIRST AMENDED

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER, AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION REGARDING COMPLIANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT, AS IT PERTAINS TO THE ADMINISTRATION OF THE FEDERAL-AID HIGHWAY PROGRAM IN CALIFORNIA

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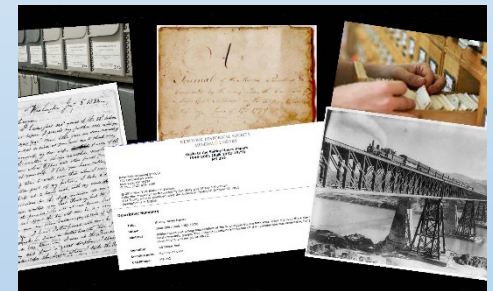
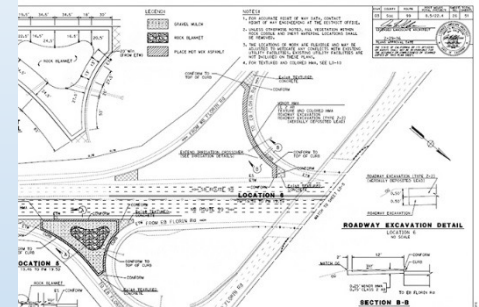
Section 106 Programmatic Agreement



Identification Phase

Section 106 process requires an agency to:

1. Identify consulting parties
 - Native Americans, historical societies, local agencies, others
2. Define Area of Potential Effect (APE)
 - Staging areas, utility relocation, borrow/disposal sites, extent of ground disturbance, temporary easements, etc.
3. Identify cultural resources within the APE



Screened Undertakings

Project activities exempt from Section 106 review, but only after appropriate screening by Professionally Qualified Staff (PQS)

ATTACHMENT 2 SCREENED UNDERTAKINGS

Screened undertakings are classes of undertakings that have the potential to affect historic properties, but following appropriate screening, may be determined exempt from further Section 106 review under this Agreement.

Based on the outcome of the screening process, the Caltrans PQS may determine that individual undertakings are exempt from further review as there is no potential to affect historic properties. The Caltrans PQS prepares a Screening Memo to the project planner for inclusion in the Caltrans District project file to document completion of the Section 106 process for applicable classes of screened undertakings and no further review will be necessary.

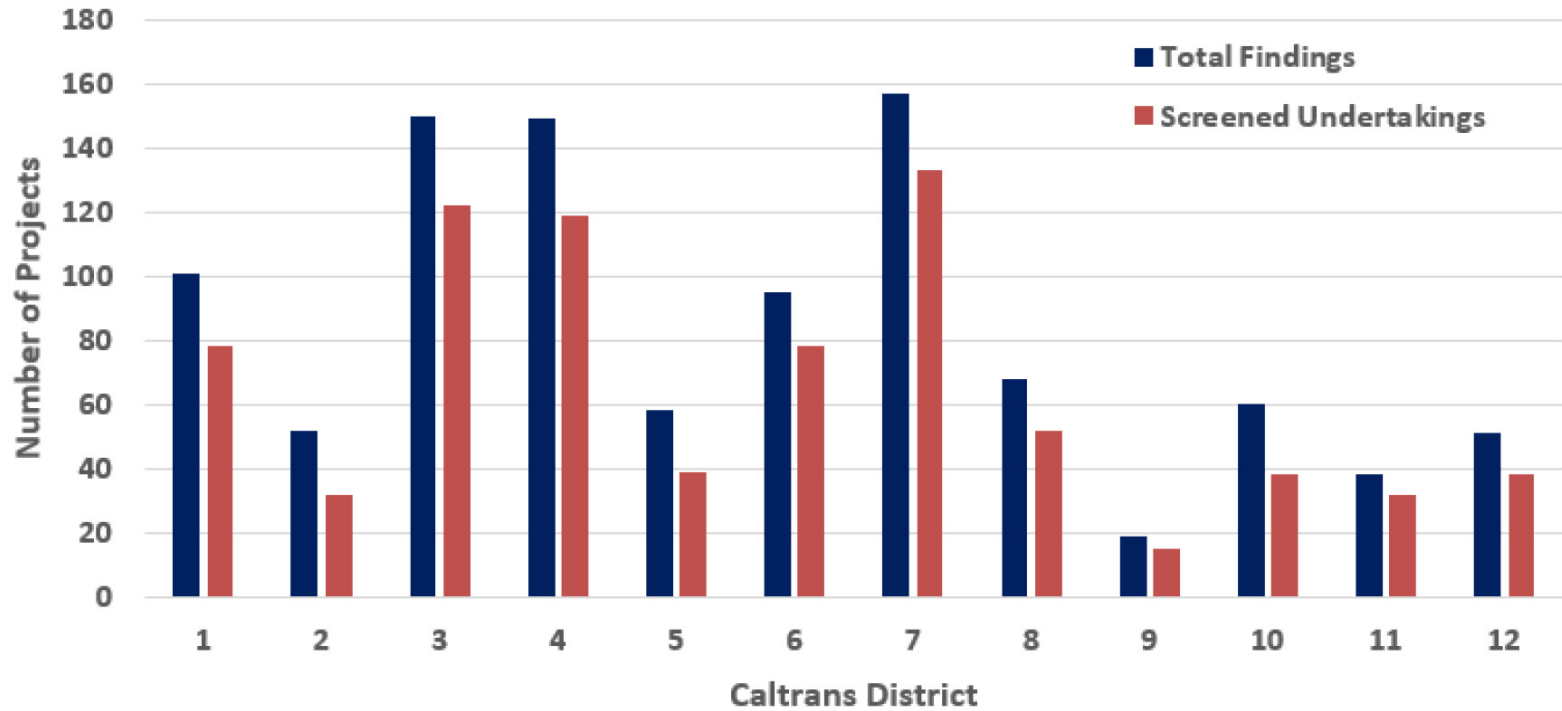
CLASSES OF SCREENED UNDERTAKINGS

1. Pavement reconstruction, resurfacing, shoulder backing, or placement of seal coats.
2. Minor widening of less than one-half-lane width, adding lanes in the median, or adding paved shoulders.
3. Channelization of intersections or addition of auxiliary lanes.
4. Establishment of chain control areas, park-and-ride lots, or maintenance pullouts.
5. Minor modification of interchanges and realignments of on/off ramps.
6. Minor utility installation or relocation.
7. Installation of noise barriers or retaining walls.
8. Addition of bicycle lanes or pedestrian walkways.
9. Storm damage repairs, such as culvert clearing or repair, disposal or stockpile locations, shoulder reconstruction, or slide or debris removal.
10. Repair of the highway and its facilities.
11. Modification of existing features, such as slopes, ditches, curbs, sidewalks, driveways, dikes, or headwalls, within or adjacent to the right of way.
12. Minor operational improvements, such as culvert replacements and median or side-ditch paving.
13. Addition or replacement of devices, such as glare screens, median barriers, fencing, guardrails, safety barriers, energy attenuators, guide posts, markers, safety cables, ladders, lighting, hoists, or signs.
14. Installation, removal or replacement of roadway markings, such as painted stripes, raised pavement markers, thermoplastic tape, or raised bars, or installation of sensors in existing pavements.
15. Abandonment, removal, reconstruction, or alteration of railroad grade crossings or separations or grade crossing protection.
16. Minor alteration or widening of existing grade separations where the primary function and utility remain unaltered.
17. Additions or alterations to existing buildings, such as work on or in office or equipment buildings, maintenance stations, warehouses, roadside rests, vista points, minor transit facilities, weigh and inspection stations, toll facilities, or state-owned rentals.
18. Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

19. Any work on Category 5 bridges, including rehabilitation or reconstruction.
20. Modification of traffic control systems or devices utilizing existing infrastructure, including installation, removal, or modification of regulatory, warning, or informational signs or signals.
21. Installation of freeway surveillance or ramp metering equipment.
22. Replacement of existing highway signs.
23. Removal or control of outdoor advertising.
24. Projects that eliminate non-fixed hazards, such as removal of objects on roadway, traffic accident cleanup, hazardous waste removal, or fire control.
25. Establishment, replacement, or removal of landscaping, vegetation, or irrigation systems on state or local public property, including highway and local roads rights of way and building sites.
26. Construction or repair of fish screens or ladders, springs, waterholes, or stream channels (e.g., clearing of debris from streams, ditches, or culverts).
27. Right-of-way activities such as hardship acquisition or acquisition of scenic or conservation easements.
28. Joint or multiple use permits with other agencies or encroachment permits.
29. Preliminary engineering tests, such as seismic, geologic, or hazardous materials testing that involve buildings or structures or require trenching or ground boring.
30. Minor maintenance on historic bridges and tunnels.

Caltrans Annual Report*

Fiscal Year 2019-2020



** results of effectiveness of use of Section 106 PA*

Conclusions

- 88% of projects are Screened Undertakings
- For all other projects – 1 to 2 years of studies
- Consultation – work towards consensus

